IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(C).No. 6894 of 2007(U)

PETITIONERS:
----

1. **MAJEED, AGED 55,**
   S/O. KUNJIMON, NALAKATH KOTTILINGAL HOUSE,
   THAIKAD AMSOM, DESOM, CHAVAKKAD TALUK.

2. **SHAREEFA, W/O. MAJEED,**
   NALAKATH KOTTILINGAL HOUSE, THAIKAD AMSOM, DESOM,
   CHAVAKKAD TALUK.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:
----

1. **THE CIRCLE INSPECTOR OF POLICE,**
   GURUVAYOOR POLICE STATION, GURUVAYOOR P.O.,
   THRISSUR DISTRICT.

2. **THE SUB INSPECTOR OF POLICE,**
   GURUVAYOOR POLICE STATION, GURUVAYOOR P.O.,
   THRISSUR DISTRICT.

3. **ISHAMOL, W/O. KADER,**
   PUZHANKARA, ILLATH HOUSE, P.O. THAIKAD, THRISSUR.

4. **SARAFU, S/O. ANNAR,**
   PUZHANKARA, ILLATH HOUSE, P.O. THAIKAD, THRISSUR.

5. **RASHEED, S/O. KURIKADATHIL PINATH-**
   MOHAMMED ALI, P.O. THAIKAD, THRISSUR DISTRICT.

6. **FAIZAL, S/O. KHADER,**
   PUZHANKARA, ILLATH HOUSE, P.O. THAIKAD, THRISSUR.

BY ADV. SRI.O.V.MANIPRASAD
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE PLAINT IN O.S.NO.156/07 DATED 15.2.2007 ON THE FILE OF THE SUB COURT, THRISSUR.

EXT.P2: COPY OF THE INTERIM INJUNCTION GRANTED BY THE LEARNED SUB JUDGE IN I.A.NO.1080/07 IN O.S.NO.156/07 DATED 20.2.2007.

EXT.P3: COPY OF THE BUILDING PERMIT GRANTED TO THE PETITIONERS DATED 7.11.2006 FROM THE GURUVAYOOR MUNICIPALITY.

EXT.P4: COPY OF THE COMPLAINT LODGED BY THE PETITIONERS BEFORE THE SECOND RESPONDENT DATED 25.2.2007.

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.6894 OF 2007

Dated 12th March, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection. On instructions, learned Government Pleader submitted that Revenue Divisional Officer has also interfered in the matter and a civil suit is also pending. We are not expressing any opinion regarding the merits of the civil disputes between the parties. It is submitted by the contesting respondents that there is a dispute regarding pathway. Learned counsel for the petitioners submits that the petitioners will not construct compound wall for obstructing the alleged pathway until civil court decides the matter finally. It is submitted by the contesting respondents that if compound wall is not constructed, they will not obstruct the construction of residential building. That submission is recorded. If the above condition is violated, police shall give adequate protection.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

tks